

30.04.2025
Court No. 35
Item No.25
Rakib

W.P.A. 26099 of 2024

Kalyani Munda.
VS
The State of West Bengal & Ors.

Mr. Dr. Siddhartha Goswami,
Ms. Upasana Shaw.
... for the Petitioner.
Mr. Shibaji Kumar Das.
...for private respondent.
Mr. Pritam Choudhury.
...for the High Court Administration.
Ms. Sonal Sinha,
Ms. Ashmita Chakraborty.
... for the State.

Petitioner is aggrieved that she was not granted any audience pursuant to the charge-sheet being accepted, although the charges under the provisions of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 were dropped.

According to the State a notice was issued and received by the petitioner.

However, I do not find from the records any date is reflected when the present petitioner received the said notice. Since rest of the section under which the charge-sheet has been submitted are Magistrate triable offence, if in the meantime the case record has been transmitted to any Judicial Magistrate, the same be transferred to the learned Special Court in charge of the Special Act referred to above.

Petitioner would within a fortnight file an application under Section 193(9) of the BNSS. Learned

Special Court would conclude the hearing within a period of 60 days from the date of filing of such application.

In the meantime the records of the case be called for by the Special Court or in the alternative the Judicial Magistrate, Kalyani on perusing the order of this Court would transmit the records to the Special Court.

With the aforesaid observations WPA 26099 of 2024 is disposed of.

Report so submitted by the State be kept with the record.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)